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**IT IS SO ORDERED.**

**Dated: April 06, 2010**



  
**Pat E. Morgenstern-Clarren**  
**United States Bankruptcy Judge**

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE:**

**CASE NO. 09-11108**

**DANIEL MUSCHITZ  
VANESSA MUSCHITZ**

**CHAPTER 13**

**DEBTORS**

**JUDGE MORGENSTERN-CLARREN**

**PROPERTY ADDRESS:  
9083 LEAVITT ROAD  
ELYRIA, OH 44035**

**AGREED ORDER FOR RELIEF  
FROM STAY**

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This matter came to be considered on the Motion for Relief from Stay (the "Motion")  
filed by, U.S. Bank, N.A. ("Movant"), and Debtor's Response to Motion.

Movant has alleged that good cause exists for granting the Motion and that Debtor(s),  
counsel for Debtor(s), the Chapter 13 Trustee, and all other necessary parties were served with  
this Motion and with notice of the hearing date for this Motion. Other than the Debtor, no party  
filed a response or otherwise appeared in opposition to the Motion, and

The parties have entered into an agreement resolving the Motion.

**IT IS THEREFORE ORDERED:**

1. Debtor shall maintain regular monthly post-petition payments to U.S. Bank, N.A. outside the Chapter 13 Plan beginning with a payment due **May 1, 2010**. Failure by the Debtor to make any payment within 30 days of the date due shall constitute a default.
2. Upon the existence of a default, Movant's counsel shall send Debtor and counsel for Debtor a 10-day notice of Movant's intent to file an affidavit and proposed order granting relief from stay.
3. If the default is not cured within that 10-day period, then upon the filing of an affidavit by Movant attesting to the default by the Debtor, an Order shall be entered without further hearing, terminating the stay imposed by Section 362(a) of the Bankruptcy Code with respect to Movant, its successors and assigns.
4. This Agreed order for Relief from Stay conforms to the standard form adopted in this District except as follows:

**a. The Debtor is currently in arrears of the post-petition payments to Movant in the sum of \$15,333.08. Arrearage consists of four (4) payments of \$1,300.67 each (6/09 – 9/09), four (4) late charges of \$52.03 each, seven (7) payments of \$1,370.48 each (10/09-4/10), six (6) late charges of \$54.82 each.**

**b. The Debtor shall cure the arrears by paying the sum of \$15,333.08 through the Chapter 13 Plan for which amount Movant is entitled to file a supplemental claim.**

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**SUBMITTED BY:**

/s/ Erin M. Laurito

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PARTIES TO BE SERVED:

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